

Agenda

Ohio EPA/ EPA Region 5 Performance Partnership Agreement 2014 – 2015 Kick-off Video Conference June 17, 2013

Notes from meeting added by Kim O'Lone in blue.

Purpose: For the U.S. Environmental Protection Agency Region 5 (EPA) and the Ohio Environmental Protection Agency (OEPA) to initiate an agreement regarding joint priorities and key issues expected for the 2014 – 2015 Performance Partnership Agreement (PPA)

2:00 - 2:15 **Introductions**

- Opening Remarks
 - Bharat Mathur, EPA Deputy Administrator Mathur emphasized that he wanted an honest and healthy discussion, particularly about the impact of budget cuts. He stated that EPA would be cutting about \$1.3 million from Ohio EPA in FY13, and that it is important that we know the effects.
 - Scott J. Nally, OEPA Nally mentioned that OEPA's budget from the State is basically as proposed, which is a good thing. He is pleased that the legislature approved 25 of the 27 amendments OEPA proposed to them last year.

Director Nally also agreed that the Agencies need to talk about budget cuts. Next week the EPA Acting Administrator will be coming to Ohio, and will attend an all hands on deck meeting of OEPA.

2:15 - 3:00 **Program Overview and Budget**

- OEPA View of Program Successes and Challenges (Division Directors of Air, Materials & Waste Management, Surface Water and Drinking & Ground Water)
- EPA View of Program Successes and Challenges (Division Directors of Air, Land and Chemicals and Water)
- Performance Partnership Grant (PPG) Budget
 - Potential Effects of FY13 Budget Decreases on Program Performance

Bharat Mathur discussed the EPA budget cuts to Ohio, and said that Ohio EPA will need to tell us what they will not be doing in response to the cuts. Chris Geyer responded that Ohio EPA reduced vacant positions in anticipation of the EPA cuts. As a result, for now Ohio EPA had some increased efficiency. They also have maintained their cash flow by spending more out of funds collected from fees. In the short term using the fees has worked, but it is not sustainable in the long term.

3:00 - 3:15 **Joint Priorities Discussion** (Margaret Guerriero, EPA)

3:15 - 3:40 **Emerging Issues**

- Environmental Justice (EJ)/ Implementation of EJ 2014 Plan (Alan Walts, EPA)
- Sustainability/Communities (John Grosshans, EPA)
- Opportunities for Work Sharing (Division Directors, EPA and OEPA)

3:40 - 3:50 **Wrap Up and Assignments**

- Develop schedule for submittal of draft 2014 – 2015 PPA, review process and finalizing 2014 – 2015 PPA

3:50 - 4:00

Closing Remarks

- Bharat Mathur, EPA and Scott J. Nally, OEPA

Ohio EPA EnPPA 6/20/13 Conference Call Talking Points

Division of Surface Water

Program Successes:

1. Completing a Nutrient Control Strategy that we will submit to USEPA this month. OEPA's George Elmaraghy commented that this strategy is very important to Ohio. He hopes that it will help control the nutrient problems with both Western Lake Erie and Grand Lake St. Marys.
2. Working with Region V and USEPA HQ, we reached an agreement on how to proceed with drafting rules for nutrient criteria. George Elmaraghy stated that the comments OEPA has received from HQ and Region 5 have been very positive. He hopes the rules can be released in late FY 13 or in FY 14. Tinka Hyde stated that EPA appreciates Ohio EPA's hard work and creative approach.
3. Almost all of the CSO communities that are being handled by the OEPA are under enforceable schedules to control their discharges. George Elmaraghy said that the discharges from almost all of the 75 CSO communities are now under control.

Program Challenges:

1. Dealing with discharges from coal mining operations. Issuing permits remains a challenge. OEPA may need to work with Region 5 on this.
2. Control and mitigate the impact of nutrient pollution from point and non-point sources. The next challenge OEPA faces is controlling runoff from agriculture and from urban areas.
3. Help communities deal with the cost of implementing the CWA requirements. There remains a challenge of how to meet the goals of the CWA within the fiscal capability of municipalities.
4. Delisting the 4 areas of concerns.

Joint Priorities:

1. Continue our joint efforts to put all the CSO communities on enforceable schedules. EPA also would like to keep this joint priority.
2. Deal with nutrient impairment and HAB (harmful algae bloom) issues. EPA also would like to keep the nutrient priority. Specific language was not discussed. The HAB was not discussed. Just a general agreement on nutrient impairment.
3. 404 delegation.¹ The Agencies agreed to work on 404 delegation, but not to make it a joint priority. Director Nally mentioned that an amendment concerning 404 delegation was one of the two amendments the Ohio Legislature did not pass this year.

Division of Drinking and Ground Water

Program Successes:

1. Enhanced Enforcement Program: Revised Enforcement SOP incorporating Agency Compliance Assurance through Enforcement Program; Enforcement Tracking Tool list reduction, including USEPA and Ohio EPA report coordination; ESAs for failure to have an operator; Criminal provisions added to statute;
2. Electronic reporting – implementation of the MOR electronic reporting and more consistent compliance program;
3. Completed development of both the UIC and Ground Water Quality Characterization Program databases, loaded all historic data and began quarterly submissions to U.S. EPA's via the data sharing node

Program Challenges

1. Improved TCR and Nitrate M&R (shared goal) through implementation of the EAS and Administrative

¹ Under the Clean Water Act (CWA), states may seek to implement Section 404 that governs dredge and fill activities in wetlands and other waters.

- Penalty procedure
- 2. Begin adoption of Revised Total Coliform Rule
- 3. Enhanced Capability Assurance Program promoting improved technical managerial and financial operation of small public water systems.
- 4. SDWIS Next Gen

Opportunities for Work Sharing EPA agreed to explore each of the 3 opportunities for work sharing that Ohio EPA proposed.

- 1. Compliance at Schools and daycares;
- 2. Laboratory compliance including improved reporting;
- 3. CCR Enforcement

Division of Materials and Waste Management

Program Successes

- 1. Progress toward Beneficial Use rule development
- 2. Annual HW reporting to biennial reporting law and rule changes
- 3. Meeting commitments- positive SRF results

Program Challenges / Emerging issues

- 1. C&DD Recycling residuals
- 2. Hot Landfills

Joint Priorities

- 1. Oil and gas wastes
- 2. Landfill odors

Division of Air Pollution Control

Program Successes

- 1. Attainment of PM2.5 standards and the submittal of the redesignation requests for the standard.
- 2. The development of the new inspection/enforcement tracking program that is now incorporated into the STARS program.
- 3. The submittal of the required infrastructure SIPS

Program Challenges / Emerging issues

- 1. Completing the work necessary for a timely submittal of the SO2 SIP for the upcoming nonattainment areas.
- 2. US EPA continuing to issue more new standards and more reporting requirements while providing less resources to states.
- 3. The development of a “Transport SIP”

Joint Priorities

No changes – Ohio continues to make progress on the issuance of Title V permits

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Program Issues/Challenges

Air Quality Program

Air Permitting:

Title V Utility and Refinery Sector Permits: Despite the progress in issuing Title V permits, issuance of permits for coal fired power plants remains low. However, the state has recently reported progress in negotiations with sources that should allow for the issuance of Title V permits for this sector.

State Greenhouse Gas Air Permitting Regulations: EPA has been working with OEPA to help them revise the state greenhouse gas (GHG) air permitting regulations. OEPA's auto-rescission clause is the only issue remaining. In the event that an entity such as Congress or a federal court vacates EPA's GHG regulations or regulatory authority, the language that OEPA proposed would automatically rescind its GHG state regulations without action by EPA. EPA and OEPA are still trying to come to a resolution on this issue.

Electronic Permit Tracking System: OEPA requested that EPA approve its electronic permit tracking system, STARS2, so that all electronic reports and compliance certifications required under 40 C.F.R. Parts 60, 61, and 70 can be electronically submitted to STARS2 and no longer submitted to EPA. Ohio is the first state to make such a request. Although, EPA has limited access to STARS2, there are concerns with confidential business information and requiring some information to be submitted to specific EPA databases that currently exist or will be built in the future. We are working with the various HQ offices in an effort to resolve concerns with using a state system as the sole recipient of the reports required by these rules.

Air Enforcement:

Data Management and Reporting: OEPA transitioned over to their new internal database tracking system (STARS2) that will hopefully correct the enforcement data and reporting issues. OEPA will ensure data management and reporting of the Minimum Data Requirements are complete, accurate and timely according to EPA policies/guidance.

Electronic Reporting: OEPA requested that EPA approve electronic reporting through its CROMERR compliant Air Services online tool to collect electronic copies of all reports and annual compliance certifications required under 40 C.F.R. Parts 60, 61, and 70. These copies can be accessed through OEPA's internal database, STARS2 and would eliminate hard copies being submitted to EPA. Ohio is the first state to make such a request. Although, EPA has limited access to STARS2, there are concerns with confidential business information and requiring some information to be submitted to specific EPA databases that currently exist or will be modified in the future. We are working with the various HQ offices in an effort to resolve concerns with using a state system as the sole recipient of the reports required by federal regulations.

Attainment Planning and Maintenance:

Ozone Redesignations: One challenge for all Region 5 states will be addressing areas that have been

designated as attainment for the 2008 8-hour ozone standard, but that are currently violating this standard based on 2009-2011 and 2010-2012 ozone air quality.

Land Quality

Tracking 2020 Universe Corrective Action Sites: On November 8, 2007, OEPA and Region 5 signed the Corrective Action MOA Track which included tracking and reporting requirements for facilities in the state's OH Voluntary Action Program (VAP). The annual report that OEPA agreed to provide allows Region 5 to ensure that facilities in the VAP are adequately tracked, are meeting the public participation requirements of RCRA and that corrective action indicators for VAP sites are being entered into RCRAInfo in a timely manner. However, the Land and Chemicals Division has not received the required reports on VAP corrective action sites from OEPA for the past few years. Region 5 asks that OEPA ensure that they are meeting their obligations under the MOA Track, including submitting reports on site activities and accomplishments.

Hazardous Waste Permit Renewals: Ohio's authorization of Subparts AA, BB, and CC regulations is expected to occur in FY 14. There will be a period of transition between EPA and OEPA in issuing the Subpart BB/CC sections in upcoming permit renewals. Such transition periods can present some challenges in coordination. To prepare for OEPA's assumption of the Subpart BB and CC regulations, EPA intends to increase communication with OEPA during this transition.

Water Quality

Improving the protectiveness of permits issued for discharges from coal mines: The General Permit for surface coal mining expires in early 2014 – EPA has expressed concerns regarding utilization of the general permit to cover new discharges to impaired or unassessed waters; recommending utilization of the individual permit process in some of these instances. EPA looks forward to working with OEPA on a new draft general permit. In addition, individual permits for the Ohio Valley Coal and American Century Mine expired over five years ago and need to be reissued. OEPA needs to prioritize these permits for reissuance and provide EPA with draft permits for review. OEPA agreed that getting permits for reissuance has been a problem. They will work with EPA on this. Tinka Hyde mentioned in particular that we could work together on individual coal permits such as for the Ohio Valley Coal Company and the American Energy Corporations' Century Mine.

Working with small Public Water Systems: In Ohio, small public water systems have a higher level of non-compliance with Federal drinking water standards, especially monitoring and reporting. A continuing challenge for OEPA is to provide the needed assistance to these small systems to conduct the necessary monitoring and meet the drinking water standards.

Proper implementation of the National SNC guidance documents: OEPA's percentage of facilities with violations or noncompliance events that pose a high level of concern for human health or the environment is greater than the national average. Such facilities are said to be in significant noncompliance (SNC). File reviews also showed that many violations documented during compliance inspections, reported by the facility, or determined through other compliance monitoring methods by the permitting authority were not appropriately identified as SNC; these violations are referred to as Single Event Violations (SEVs). OEPA must review national SEV guidance and develop a plan that addresses identification, resolution and documentation of enforcement actions consistent with national SNC guidance. This plan must be written into OEPA policy.

Develop implementation procedures for using the Trophic Index Criterion (TIC) in NPDES permits, in TMDLs and for listing impaired waters: This will involve Ohio EPA working closely with our Watersheds and Wetlands Branch as well as NPDES Programs Branch. Developing the implementation

procedures also is on our list of worksharing opportunities.

Updating Ohio's Numeric Biological Criteria: Ohio has an excellent monitoring program, and is one of only a few states in the country that has adopted numeric biological criteria into their water quality standards. Given that federal regulations require states to review their water quality standards every three years and update them based on new information and science, and that the biological criteria have not been updated since adoption in 1990, EPA is very interested in working with Ohio EPA to agree on a schedule to review and update (if necessary) the biological criteria. It is our understanding that Ohio EPA funded a contractor several years ago to look at incorporating more recent data for reference sites and modernizing some of the metrics used in the biological indices. This information should be very useful in updating the biological criteria and determining a reasonable schedule to get the updates completed.

Permit Requirements for UIC Class I Permit Renewal: The Ohio EPA Underground Injection Control (UIC) program recently revised their UIC Class I permit language regarding due dates for mechanical integrity testing (MIT) to reflect a more liberal interpretation of the term "annual" (calendar rather than within a twelve month period). This change is less stringent than Federal UIC permit requirements. The term "annual" is not clearly defined in the SDWA statute, regulations, or legislative history, but EPA has interpreted "annual" to be within a 12 month period. The Ohio EPA rejected EPA's interpretation and implemented the change despite EPA's non-concurrence. Our agencies have not resolved this issue and need to determine how to reach agreement.

Superfund – Brownfields

No program issues or challenges to report.

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Joint Priorities

Air Quality

Reduce Title V permit backlog

Ohio EPA has made significant progress in reducing its Title V permit backlog. In 2011 and 2012, OEPA processed just under 150 Title V renewals, beating Region 5's goal of just over 100. Although a backlog still exists, OEPA has set aggressive goals to eliminate the backlog by July 2014. OEPA has been adhering to its internal goals without the necessity of a joint priority with EPA, therefore we recommend discontinuing this joint priority if OEPA agrees.

Complete Title V utility and refinery sector permits

ARD recommends discontinuing this joint priority for the reasons stated above.

ARD does not have any new joint priorities to propose.

Land Quality

Beneficial use of dredge materials

Region 5 is not aware of any activity by either agency on this joint priority. Discussion is needed on whether to retain this as a joint priority.

Region 5 recommends the following new joint priority.

Joint inspections to enforce new hazardous waste rules

OEPA is in the process of becoming authorized for the Subpart AA, BB, CC Air Emission Regulations under the hazardous waste program. OEPA has expressed interest in working with EPA to understand the inspection and enforcement procedures EPA has used in enforcing these rules in Ohio. EPA and OEPA could target sites that are subject to the rules and conduct joint inspections with state inspectors that are interested in gaining more experience in this area.

Water and Wastewater Quality

(Region 5 would like to retain the following joint priority, but with some additional wording in italics.)

Establish a comprehensive nutrient reduction strategy Ohio EPA agreed to retain this joint priority and to refocus on Lake Erie. Specifics of the EPA proposed additional wording were not discussed.

USEPA is particularly interested in working with Ohio EPA on an acceptable and defensible approach for Ohio to adopt and implement criteria to address nutrient pollution in rivers, streams, lakes and reservoirs. *Implementation of the nutrient reduction strategy should include a focus on Lake Erie, particularly the Western Lake Erie Basin. Actions should include, but not be limited to:*

- *Continuing work on Concentrated Animal Feeding Operations.*
- *Work on watershed phosphorus and thermal discharges.*
- *Listing methodology and coordination of Annex 4 activities.*
- *Rulemaking to adopt the Trophic Index Criterion (TIC) into Ohio's water quality standards.*

As development of the strategy is nearing completion, we would like to include its implementation as a joint priority, with a focus on Lake Erie, particularly the Western Lake Erie Basin. This focus is in line with our shared Great Lakes priorities. The Water Division would like to retain the priority on working with Ohio EPA to establish a comprehensive nutrient strategy throughout the State.

Regarding actions, the new language is more comprehensive concerning municipal strategies, and adds work on the Concentrated Animal Feeding Operations (CAFO). CAFO work will continue until the program transitions from Ohio EPA to Ohio Department of Agriculture is finalized, at which point a workplan between EPA and ODA may need to be negotiated to ensure appropriate coverage.

Continue ongoing effort to restore Grand Lake St. Mary

Region 5 recommends dropping the current joint priority for Grand Lake-St. Marys. Ohio should continue its activities with regard to the Lake, however. Ohio EPA agrees. This Joint Priority will not carry over to the new PPA.

If Ohio EPA prefers to keep this area as a joint priority, U. S. EPA will need input on actions we should take. At this point, we believe the Federal actions, particularly in enforcement, have been taken as described below.

The Ohio Department of Natural Resources (ODNR) has employed its “distressed waters” authority to do extensive work with Concentrated Animal Feeding Operations (CAFOs) within the watershed. EPA has flown over the watershed, and inspected facilities after consultation with ODNR. The inspected facilities did not require enforcement. Given these efforts, Water Enforcement has no ongoing role in this joint priority. Also, there are no major dischargers in the area, so the NPDES program does not have a role.

While Water Division is deferring to Ohio EPA on whether or not it continue to mention Grand Lake-St. Marys specifically in the joint priorities, we remain committed to resolving the Lake’s algae issues as part of the overall discussion of the comprehensive nutrient strategy. Our Drinking Water Program in particular remains concerned about Grand Lake-St. Marys because it is the main drinking water source for Celina, Ohio. We look forward to completing and then implementing a targeted nutrient strategy with Ohio EPA.

CSO communities and LTCP submittal and schedule

Focus on Combined Sewer Overflow Long Term Control Plans, Sanitary Sewer Overflows, and Municipal Separate Storm Sewer Systems. Ongoing work statewide will continue, but future work will take focus on the Western Lake Erie Basin. Ohio EPA agreed to retain this joint priority. Specifics of the EPA proposed additional wording were not discussed. George Elmaraghy commented that he had in mind innovative approaches that might require use of NPDES or enforcement staff. Tinka Hyde commented that we were willing to work with Ohio EPA on challenging communities.

Water Division would like to retain this joint priority, but with some additional wording in italics.

Water Division expanded the wording on municipal initiatives to include Sanitary Sewer Overflows and Municipal Separate Storm Sewer Systems. As with the nutrient strategy, we would like to focus, but not limit efforts to Western Lake Erie.

Water Division does not have any new joint priorities to propose.

Homeland Security

USEPA and OEPA will work together on Continuity of Operations Planning (COOP)

Through workshops, training and exercising USEPA and OEPA will develop a relationship on sharing ideas related to continuity planning. Continuity of planning facilitates the performance of agency essential functions during all hazards, emergencies or other situations that may disrupt normal operations.

Region 5 recommends dropping this joint priority for Homeland Security.

Homeland Security does not have any new joint priorities to propose.

Superfund - Brownfields

The Brownfields program does not have any existing joint priorities to report on or new joint priorities to propose.

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Worksharing

Potential or Ongoing Working Opportunities

Bharat made the general comment that as EPA faces budget cuts, we will face limits on the amount of work sharing we can do with the states.

Air Quality

ARD has no worksharing opportunities to recommend at this time.

Land Quality

Corrective Action

EPA and OEPA both work on the Corrective Action 2020 baseline. Ohio has a total universe of 257 sites where 167 (65%) are state and 90 (35%) are federal lead sites.

Joint inspections to enforce new hazardous waste rules

OEPA is in the process of becoming authorized for the Subpart AA, BB, and CC Air Emission Regulations under the hazardous waste program. OEPA has expressed interest in working with EPA to understand the inspection and enforcement procedures EPA has used in enforcing these rules in Ohio. EPA and OEPA could target sites that are subject to the rules and conduct joint inspections with state inspectors that are interested in gaining more experience in this area.

Water Quality Ohio EPA agreed to the work sharing we proposed. There was a general acknowledgement that the items we proposed were already areas we were working on with Ohio EPA.

Enforcement:

EPA and OEPA's clean water enforcement worksharing activities are captured in the Joint Work Plan every fiscal year. This planning mechanism will continue to enhance cooperation and coordination between the agencies. Examples of such activities include:

- Coordination of inspection and enforcement activities regarding municipalities experiencing sanitary sewer overflows
- Assessment of Phase 1 Municipal Separate Storm Sewer System (MS4) permits compliance.

EPA is assisting Ohio EPA on drinking water enforcement cases (referrals).

Develop implementation procedures for using the Trophic Index Criterion (TIC) in NPDES permits, in TMDLs and for listing impaired waters: This will involve Ohio EPA working closely with our Watersheds and Wetlands Branch as well as NPDES Programs Branch. Developing the implementation procedures also is on our list of challenges.

Superfund-Brownfields

Brownfields has no worksharing opportunities to recommend at this time.

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Successful Areas/Highlights

Air Quality

Air Monitoring:

Air monitoring at fracking sites: EPA appreciates the air monitoring OEPA is doing around fracking sites in Ohio.

Air Permitting:

Reduce Title V Permit Backlog: OEPA has made significant progress in reducing its Title V permit backlog. In 2011 and 2012, OEPA processed just under 150 Title V renewals, beating Region 5's goal for OEPA of just over 100. Although a backlog still exists, OEPA has set aggressive internal goals to eliminate the backlog by July 2014.

Land Quality

Biennial Report: Throughout 2012 OEPA completed their RCRAInfo data entry in an accurate and timely manner resulting in a successful Biennial Report (BR) load. OEPA completed its final submission with their State Summary Report (SSR) showing no errors and a gold star from EPA Headquarters (HQs) for an outstanding quality assurance and quality check on July 24, 2012.

Solid waste and recycling measurement issues: OEPA is a leader in recycling data collection and analysis and EPA appreciates their continued involvement and support of EPA's effort to document the approaches and definitions used by all states in the region. OEPA will be using Re-TRAC for their state-wide data collection and we hope to continue our collaboration with OEPA as EPA's national measurement effort progresses.

Promoting the Economy, Energy, and Environment (E3) program: E3 is a sustainable manufacturing model of collaboration among manufacturers, utilities, State and local government, and federal entities focusing on continual improvement to manufacturing operations with regard to productivity, energy, and environmental performance, particularly important in Region 5's industrialized Region. OEPA is working to support the EPA Cooperative Agreement issued to the Mid-Ohio Regional Planning Commission, which works with the state Manufacturing Extension Partnership (Techsolve), Ohio State University, and University of Dayton (IAC). The MORPC project has begun to produce measurable reductions in energy conservation and associated GHG emissions.

Increase in hazardous waste program SNCs: OEPA's RCRA hazardous waste enforcement program identified only 10 SNCs in 2011, which represented a SNC rate of 0.8%. This was significantly lower than the national average of 1.7%. OEPA was able to increase this to 26 SNCs in 2012, which represents a SNC rate of 3.0%. We are hopeful that OEPA will continue to demonstrate SNC rates at or above the national average in FY 13 and beyond.

Water Quality

Trophic Index Criterion (TIC) for Nutrients: OEPA is to be commended for beginning the rulemaking process

to protect Ohio's waters from excessive nutrients. OEPA is proposing to adopt a multi-metric scoring system

(i.e., TIC) that aggregates information on primary productivity, biological health and in-stream nutrient concentrations. EPA appreciates the collaboration demonstrated by OEPA in working through several technical issues. We look forward to continuing to support OEPA's efforts through the rulemaking process.

Hamilton County's Partial Remedy: The approval of Hamilton County's Revised Original Lower Mill Creek Partial Remedy represents great forward movement in the area of sustainable sewer improvements. OEPA Southwest District staff has worked closely with EPA during the review and approval process. Tinka Hyde highlighted Hamilton County as a success.

Ohio NPDES Permits are Current: OEPA's permitting practices produce a high percentage of permits that are current.

Water Impairment Website: OEPA has an integrated website that links water impairments, TMDLS and implementation activities.

National UIC Database and Class V Well Closure: OEPA has made tremendous progress with flowing data to the national UIC database and with closing high priority Class V wells.

Superfund – Brownfields

Green Remediation - OEPA is conducting a feasibility study for at least one project site for possible implementation of a green cleanup remediation alternative. Using U.S. EPA's *Methodology for Understanding and Reducing a Project's Environmental Footprint* OEPA will establish the parameters (or metrics) to be quantified at the project site and then quantify them using the seven step footprint analysis process included in the methodology.

Urban Agriculture - OEPA provided risk assessment and other necessary technical assistance to several Urban Agriculture projects in Ohio, including U.S. EPA, Region V's Neighborhood Progress Initiative Urban Agriculture project which is included the evaluation of several vacant properties in inner-city Cleveland for safe urban gardening activities. OEPA developed best practices through study of direct-contact and soil uptake to plant exposures typical to Urban Gardening to develop best practices for Ohio Cities to evaluate vacant properties for Urban Gardening via good, easy-to-implement risk management practices.

Brownfields TBAs and Technical Assistance - In FY12, OEPA DERR performed 11 Targeted Brownfields Assessments on over 33 acres of property and reviewed voluntary action clean-ups on 43 properties covering over 794 acres. OEPA plans to provide VAP technical assistance to approximately 90 community projects in Federal Fiscal Year 2013.

Homeland Security

No highlights to report.

Attachment: LCD Recap of the Ohio EPA Kick-Off Conference**From:** Melcer, Allen**Sent:** Friday, June 28, 2013 11:55 AM**To:** Hyde, Tinka; Guerriero, Margaret; Czerniak, George; Walts, Alan; Karl, Richard; Mankowski, Matthew; Mathur, Bharat**Cc:** Jencius, Morgan; Sypniewski, Bruce; Henry, Timothy; Harris, Michael; Ballotti, Doug; Anderson, Andrew; Dufficy, Joseph; Cozza, Daniel; Baltazar, Debbie; OLone, Kimberly; Nelson, Diane; Garner-Davis, Rita; Santos, Marco; Cisneros, Jose; Klevs, Mardi; Garl, Jerri-Anne; Victorine, Gary**Subject:** Follow-up actions from the Ohio EPA PPA Kick-Off meeting

Hi Everybody,

Thank you for your write-ups and attendance at the Ohio EPA - EPA PPA/PPG Kickoff Meeting on June 20th.

As we discussed at the meeting, the current PPA expires on September 30, 2013, so we need to have the new 2-year PPA signed before that date. Since Ohio EPA uses the PPA as the workplan for their PPG, and we should not issue a PPG without an approved workplan, our target for having the 2014 – 2015 Ohio PPA signed is September 16, 2013. This means that your program should be working now and over the next few weeks with your counterparts at Ohio EPA to help them develop the draft 2014 – 2015 PPA by the due date in the table below. Any issues or barriers that are not readily resolved should be immediately elevated to senior managers.

Now-July 18, 2013	Ohio EPA will continue negotiations with EPA program offices toward development of overarching PPA and program specific work plans.
July 9	Ohio EPA to submit PPG application to EPA (to Marco Santos, LCD)
July 19	Ohio EPA to submit Final Draft PPA to EPA (to Rita Garner, LCD)
July 20 – Sept. 1	Ohio EPA and EPA will work together to negotiate the final PPA and work out any remaining issues.
By Sept. 16	Ohio EPA to submit final PPA for signature/EPA to make early FY 2014 award
By Sept. 30	EPA issues 2014 PPG award.

During the PPA Kick-Off call, EPA and Ohio EPA came to agreement to include the following joint priorities in the next PPA:

1. Beneficial Use of Dredge Materials (carry-over from current PPA)
2. Joint Inspections to Enforce New Hazardous Waste Rules (new JP)
3. Landfill Disposal of Oil & Gas Wastes from Hydrofracking (new JP)
4. Establish a Comprehensive Nutrient Reduction Strategy for Rivers, Streams, Lakes and Reservoirs (carry-over from current PPA)
5. CSO Communities and Long-Term Control Plan Submittal and Schedule (carry-over from current PPA)
6. Work Together on Continuity of Operations Planning (carry-over from current PPA)

7. Addressing Landfill Gas Odors (possible new JP – EPA and Ohio EPA will discuss whether to include as a JP)

There are also a few action items from the PPA Kick-off meeting that need attention.

1. EPA will update Ohio EPA on the RARE study on aluminum dross in landfills (LCD)
2. Discussion between EPA and Ohio EPA on whether to include landfill gas odors as a joint priority (LCD, ARD, Div. of Materials and Waste Management, and Division of Air Pollution Control)
3. Discussion of how EPA will keep Ohio EPA notified about EJ-related activities in OH (OECA and Division of Materials and Waste Management)

Please contact me if you have any questions about this process.

Allen Melcer

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